

## REMARKS

In the Official Action mailed on **19 May 2005** the Examiner reviewed claims 1, 3-9, 11-17, and 19-24. Claims 1, 9, and 17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Rowland (USPN 6, 405,318, hereinafter “Rowland”) in view of Ruvolo (USPN 5,928,363, hereinafter “Ruvolo”) and in further view of Durinovic-Johri et al. (USPN 5,699,514, hereinafter “Durinovic-Johri”). Claims 6, 14, and 22 were rejected under 35 U.S.C. §103 (a) as being unpatentable over Rowland in view of Limisco (USPN 6,662,228, hereinafter “Limisco”). Claims 7-8, 15-16, and 23-24 were rejected under 35 U.S.C. §103 (a) as being unpatentable over Rowland in view of See et al (USPN 6,339,830, hereinafter “See”).

### Rejections under 35 U.S.C. §103(a)

Independent claims 1, 9, and 17 were rejected as being unpatentable over Rowland in view of Ruvolo and in further view of Durinovic-Johri. Applicant respectfully points out that the combined system of Rowland, Ruvolo, and Durinovic-Johri teaches imposing a global lockout for the user after a threshold number of **failed access attempts by the user** (see Durinovic-Johri, Abstract, col. 2, lines 60-64, and col. 5, lines 52-57).

In contrast, the present invention imposes a lockout from only a specific network address after a threshold number of failed access attempts by the user from the specific network address. Next, the present invention imposes a global lockout only after a **threshold number of network addresses have been locked out** (see paragraphs [0034]-[0035] of the instant application). This “two-level” lockout system is beneficial because it does not lock out the valid user if an adversary tries to gain access from a single network address, but imposes a global lockout in case of a concerted denial-of-service attack. There is nothing within Rowland, Ruvolo, or Durinovic-Johri, either separately or in concert, which

suggests imposing a lockout from only the specific network address after a threshold number of failed access attempts by the user, and then imposing a global lockout only after a threshold number of network addresses have been locked out.

Accordingly, Applicant has amended independent claims 1, 9, and 17 to clarify that the present invention imposes a lockout from only the specific network address after a threshold number of failed access attempts by the user, and then imposes a global lockout only after a threshold number of network addresses have been locked out. These amendments find support in paragraphs [0034]-[0035] of the instant application.

Hence, Applicant respectfully submits that independent claims 1, 9, and 17 as presently amended are in condition for allowance. Applicant also submits that claims 3-8, which depend upon claim 1, claims 11-16, which depend upon claim 9, and claims 19-24, which depend upon claim 17, are for the same reasons in condition for allowance and for reasons of the unique combinations recited in such claims.

## CONCLUSION

It is submitted that the present application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

By

  
Edward J. Grundler

Registration No. 47,615

Date: 6 June 2005

Edward J. Grundler  
PARK, VAUGHAN & FLEMING LLP  
2820 Fifth Street  
Davis, CA 95616-7759  
Tel: (530) 759-1663  
FAX: (530) 759-1665